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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **EASTERN DIVISION**

11 **HEATHER HADNOT as Natural**  
12 **Parent and *General Guardian* for**  
13 **D.D. her minor son,**

**Case No.: 5:23-cv-118**

14 ***PLAINTIFFS,***

15 **v.**

16 **YUCAPIA-CALIMESA JOINT**  
17 **UNIFIED SCHOOL DISTRICT, in**  
18 **its official capacity, MICHAEL**  
19 **SIALANA, in his individual**  
20 **capacity, KEVIN LEWIS, in his**  
21 **individual capacity, and DOES 1-20,**  
22 **inclusive.**

23 ***DEFENDANTS.***

24  
25 **COMPLAINT**  
26 **JURY TRIAL DEMAND**  
27  
28

## I. INTRODUCTION

This is an action arising from abuse through school security officers, staff and administration occurring at Yucaipa High School in the Yucaipa-Calimesa Joint Unified School District. Plaintiff is seeking damages for Defendants' violation of due process, racial discrimination and an illegal search and seizure. Defendants are also responsible for breach of contract, false imprisonment, negligence, negligent infliction of emotional distress and bodily injury.

## II. PARTIES

1. D.D. ("Plaintiff") is a student at Yucaipa High School, located in Yucaipa, California, and part of the Yucaipa-Calimesa Joint Unified School District. Plaintiff at all times material to this litigation has been, and is presently, a minor child.

2. The Complaint is filed by and through his mother, Heather Hadnot ("Hadnot"), with consent of D.D., pursuant to Federal Rule of Civil Procedure 17 (c)(1)(A).

3. Defendant Yucaipa-Calimesa Joint Unified School District ("YCJUSD") is a public school district located in the City of Yucaipa, County of San Bernardino, in California. Yucaipa High School is a school within YCJUSD.

4. Defendant Michael Sialana ("Sialana") was employed by YCJUSD at all times relevant to this litigation. Sialana is a citizen of the State of California.

5. Defendant Kevin Lewis ("Lewis") was employed by YCJUSD at all times relevant to this litigation. Lewis is a citizen of the State of California.

1 6. Doe Defendants 1-20 (“Doe Defendants”) are employees or agents of Defendant  
2 YCJUSD that caused harm to Plaintiffs subject of this lawsuit. At this time, their names  
3 and whereabouts are unknown.  
4

### 5 6 **III. JURISDICTION & VENUE**

7 7. This court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. §  
8 1331, which provides district courts with jurisdiction over civil actions arising under the  
9 United States Constitution or laws of the United States.  
10

11 8. In accordance with 28 U.S.C. § 1367, this Court also has supplemental jurisdiction  
12 over Plaintiff’s state law claims.  
13

14 9. Defendant YCJUSD conducts business within the State of California.  
15

16 10. The other Defendants on the grounds that they were employees of YCJUSD at all  
17 relevant times herein and personally violated certain rights and policies, the effects of  
18 which were felt in the State of California.  
19

20 11. Venue in this action is properly in the Central District of California because the  
21 events relevant to this action occurred primarily within the geographical confines of the  
22 Central District of California.  
23

### 24 **IV. FACTUAL ALLEGATIONS**

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1 12. At all times relevant to this litigation, D. D. has been a student at Yucaipa High  
2 School (“Yucaipa”) within the YCJUSD.

3 13. From the start, D.D. has been targeted due to his status as a racial minority within  
4 Yucaipa.  
5

6 14. D.D. is of mixed African American and Caucasian decent.

7 15. Yucaipa has a Non-Discrimination policy which states in pertinent part: “Yucaipa  
8 High is committed to providing an equal opportunity for all individuals in education.  
9 District programs, activities, and practices shall be free from unlawful discrimination,  
10 including discrimination against an individual or group based on race, color, ancestry,  
11 nationality, national origin”  
12  
13

14 16. In August 2022, the targeting went so far that D.D. was called “Nigga” while being  
15 detained by Yucaipa staff.  
16

17 17. On the morning of August 24, 2022, D.D. was in the hallway speaking with two  
18 students of Caucasian decent on their way to their first hour class.

19 18. Yucaipa security guard known as “Big Mike” approached D.D. and the group of  
20 students.  
21

22 19. Defendant Sialana approached from behind D.D., grabbing D.D. by the backpack  
23 and forcefully pulled him backwards.  
24

25 20. D.D. did not hear to see Defendant Sialana approaching prior to being grabbed and  
26 forcefully pulled backwards.  
27  
28

1 21. Upon being pulled, D.D. asked what Defendant Sialana was doing and why he had  
2 been grabbed.

3 22. Defendant Sialana responded stating “when I call you come”.  
4

5 23. At no time had Defendant Sialana called D.D. by name, or any other way, prior to  
6 the physical contact by Defendant Sialana.

7 24. Defendant Sialana continued to pull D.D. by his backpack to the securities golf cart  
8 located some yards away.  
9

10 25. D.D. experienced sharp pains in his arm as a result of being forcefully drug down  
11 the hallway.  
12

13 26. Once Defendant Sialana had successfully pulled D.D. to the securities golf cart,  
14 Defendant Sialana affirmatively told D.D. to “sit down Nigga”.

15 27. D.D. was confused and embarrassed about being targeted and drug down the hallway  
16 in front of his peers.  
17

18 28. D.D.’s backpack was removed from his person and placed in the golf cart.

19 29. Two additional security guards were in the vicinity and failed to take action to  
20 protect D.D. from the actions of Defendant Sialana.  
21

22 30. Defendant Sialana escorted D.D. to the principal’s office where he was subject to a  
23 pat down and his person and belongings were searched as a result of Defendant Sialana’s  
24 targeting.  
25

26 31. At no time was D.D. accused of, or found guilty of, any wrongdoing.  
27  
28

1 32. Yucaipa failed to notify Hadnot of the search of D.D. in direct violation of Yucaipa  
2 policy and procedures.

3 33. D.D. had increasing anxiety throughout first, second and third hour due to fear or  
4 repeat targeting.  
5

6 34. As the anxiety increase, D.D. thought it imperative to call his mother, Hadnot, to  
7 inform her of what had occurred and sought a hall pass to proceed to the office.  
8

9 35. The Yucaipa school secretary asked D.D. why he needed to call home and when  
10 D.D. informed her the secretary responded by stating “do you want his [Sialana] head on a  
11 steak?”.  
12

13 36. Hadnot proceeded to the school and upon arrival was told by Defendant Lewis, the  
14 assistant principal, that D.D. had been stopped by Defendant Sialana due to suspicious  
15 activity.  
16

17 37. Defendant Lewis was unable to provide Hadnot with the suspicious activity for  
18 which D.D. had been targeted.

19 38. Defendant Lewis stated that D.D. fit the description of those involved in the  
20 unidentifiable suspicious activity.  
21

22 39. D.D. if one of only a handful of students of African American decent.

23 40. D.D. is the only African American student with a light complexion.  
24

25 41. D.D. was not involved in any suspicious activity, and further would not have fit the  
26 description of another student involved in suspicious activity.  
27  
28

1 42. D.D. suffered and continues to suffer emotional distress due to the actions of the  
2 Defendants.

3 43. As a result of Defendants actions Plaintiff transferred schools in order to get away  
4 from the discrimination and retaliation further.

5  
6 44. YCJUSD and its employees were put on notice about the impending litigation on  
7 October 3, 2022.

8  
9 **RESPONDAET SUPERIOR AND AGENCY**

10 45. Plaintiff restates each and every allegation set forth in the preceding paragraphs of  
11 this Complaint as if fully set out herein.

12  
13 46. Under Federal and California law, an employer may be vicariously liable for an  
14 employee's actions when they are acting within the scope of their employment on behalf  
15 of the employer.

16  
17 47. At all times relevant to this action, all individual Defendants were employed by the  
18 YCJUSD. Some of their acts and omission relevant to this litigation were undertaken  
19 within the scope of their employment with YCJUSD.

20  
21 48. At the time of this Complaint, only the individual Defendants themselves are aware  
22 of the exact role that each individual Defendant played in the events that are the subject of  
23 the lawsuit. For this reason, only the individual Defendants know at which times each  
24 Defendant acted in a manner that exceeded the scope of their duties in their official  
25

1 capacities and at which each Defendant acted in a manner that was within the scope of their  
2 duties in their official capacities.

3 **V. CAUSES OF ACTION**

4  
5 **COUNT ONE – RACIAL DISCRIMINATION UNDER TITLE VI OF THE**  
6 **CIVIL RIGHTS ACT OF 1964**

7  
8 49. Plaintiff restates each and every allegation set forth in the proceeding paragraphs of  
9 this Complaint as fully set out herein.

10 50. Title VI of the Civil Rights Act of 1964 (20 U.S.C. §§ 2000d) states in pertinent part  
11 “No person in the United States shall, on the ground of race, color, or national origin, be  
12 excluded from participation in, be denied the benefits of, or be subjected to discrimination  
13 under any program or activity receiving Federal financial assistance”.

14  
15 51. At all times herein mentioned Defendant Yucaipa was a public school that received  
16 federal financial assistance.

17  
18 52. Thus, Defendant Yucaipa is a recipient of Federal financial assistant for purposes of  
19 Title VI of the Civil Rights Act of 1964, 20 U.S.C. §§ 2000d.

20  
21 53. Accordingly, school staff behavior during any activities organized through the  
22 school, including classes or other activity falls under the ambit of Title VI of the Civil  
23 Rights Act of 1964.  
24  
25  
26  
27  
28

1 54. Any and all behavior of school staff that causes discrimination on the basis of race  
2 during any school related activity is prohibited under Title VI of the Civil Rights Act of  
3 1964.

4  
5 55. Defendant Sialana violated Plaintiff's rights under Title VI of the Civil Rights Act  
6 of 1964 when, having awareness of Plaintiff's race, he undertook the following actions  
7 against Plaintiff while he was a student during the 2022-2023 school year:

- 8  
9 i. Defendant Sialana targeted Plaintiff for suspicious activity  
10 without any basis for such action.  
11 ii. Defendant Sialana forcefully grabbed Plaintiff by the  
12 backpack and drug him to the securities cart, some  
13 distance away causing harm.  
14 iii. Defendant Sialana made racial fueled remarks to Plaintiff  
15 when he told him to "sit down Nigga". The language was  
16 used against Plaintiff on the basis of his race.

17 56. Defendant Lewis further violated Plaintiff's rights under Title VI of the Civil Rights  
18 Act of 1964, when he failed to initiate any disciplinary proceedings against Defendant  
19 Sialana after Plaintiff made him aware of Defendant Sialana's racially charged remarks.

20 57. Defendant Yucaipa violated Plaintiff's rights under Title VI of the Civil Rights Act  
21 of 1964 by enabling a work environment whereby Defendant Sialana felt empowered to  
22 make racially charged remarks.

23 58. As a direct and proximate result of Defendants' unlawful discrimination Plaintiff  
24 has sustained and continues to sustain emotional injuries and damages.  
25

26 WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this Court:  
27  
28

1 (a) Enter judgment against Defendants and in favor of Plaintiff for  
2 actual damages for financial loss, physical harm, humiliation, mental anguish,  
3 and emotional distress and punitive damages in amounts to be determined at  
4 trial and as are allowed under the statute;  
5

6 (b) Enter judgment against Defendants and in favor of Plaintiff for  
7 an injunction prohibiting the Defendants' wrongful actions, a fair  
8 investigation into Defendants and appropriate discipline of each of the  
9 individual Defendants;  
10

11 (c) Enter judgment against Defendants and in favor of Plaintiff for  
12 all costs sustained in connection with the prosecution of this action, including  
13 attorneys' fees; and  
14

15 (d) Grant such other and further relief as justice requires.  
16  
17

18 **COUNT TWO – VIOLATION OF DUE PROCESS UNDER 42 U.S.C. § 1983**

19 59. Plaintiff restates each and every allegation set forth in the proceeding paragraphs of  
20 this Complaint as fully set out herein.  
21

22 60. The Fifth and Fourteenth Amendments of the U.S. Constitution provide, in pertinent  
23 part, that "no person shall be deprived of life, liberty, or property without due process of  
24 law." Where a "real nexus exists between the activity out of which the violation occurs and  
25 the teacher's duties and obligations, then the teacher's conduct is taken under color of state  
26  
27  
28

1 law." W.H. v. Olympia Sch. Dist., No. C16-5273 BHS, 2017 U.S. Dist. LEXIS 164766  
2 (W.D. Wash. Oct. 4, 2017).

3 61. School children have a liberty interest in their bodily integrity protected by the Due  
4 Process Clause of the Fourteenth Amendment.

5 62. Physical abuse by a school employee violates that right.

6 63. As such, Defendants violated D.D.'s right to bodily integrity by harming him.

7 64. Defendants were giving the impression to act in their role as school employees,  
8 therefore acting under the color of law.

9 65. Defendants are persons working with children on a daily basis were aware that D.D.  
10 was entitled to a liberty interest in bodily integrity.

11 66. D.D. as been denied his due process rights by Defendants in violation of the Fifth  
12 and Fourteenth Amendments in that:

13 a. Defendant Sialana forcefully grabbed him by the backpack, attached to  
14 D.D.'s body, resulting in pain to D.D.'s arm.

15 b. Defendant Sialana when they failed to inform D.D.'s mother of the  
16 incident throughout the school day, subjecting D.D. to further emotional  
17 distress

18 67. Plaintiff has a clearly established constitutionally protected property interest in his  
19 education at Yucaipa High School.

1 68. D.D. was not given the opportunity to present any meaningful defense on his own  
2 behalf prior to the illegal search.

3 69. As a direct and proximate result of Defendants actions, Plaintiff has suffered bodily  
4 harm.  
5

6 70. As a direct and proximate result of Defendants actions, Plaintiff has suffered and  
7 continues to suffer severe emotional distress.  
8

9 71. The actions of Defendants violated the provisions of 42 U.S.C. §1983 in that they  
10 knowingly and willfully violated the civil rights of Plaintiff.

11 WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this Court:  
12

13 (a) Enter judgment against Defendants and in favor of Plaintiff for  
14 actual damages for financial loss, physical harm, humiliation, mental anguish,  
15 and emotional distress and punitive damages in amounts to be determined at  
16 trial and as are allowed under the statute;  
17

18 (b) Enter judgment against Defendants and in favor of Plaintiff for  
19 an injunction prohibiting the Defendants' wrongful actions, a fair  
20 investigation into Defendants and appropriate discipline of each of the  
21 individual Defendants;  
22

23 (c) Enter judgment against Defendants and in favor of Plaintiff for  
24 all costs sustained in connection with the prosecution of this action, including  
25 attorneys' fees; and  
26  
27  
28

(d) Grant such other and further relief as justice requires.

### COUNT THREE - BATTERY

72. Plaintiff restates each and every allegation set forth in the proceeding paragraphs of this Complaint as fully set out herein.

73. School district employees can be held liable in circumstances in which a professional employee uses excessive force in the discipline of students or negligence resulting in bodily harm to students.

74. Defendant Sialana used excessive force on D.D. on August 24, 2022, when he forcefully grabbed D.D. by his backpack on this body and dragged him by the backpack with such unprovoked force and aggression that D. D. suffered pain.

75. Defendant Sialana undertook each act with the purpose of producing such contact in their attempts to wrongfully restrain D. D. through such contact.

76. Defendant Sialana knew with a substantial certainty through their experience and training as school administrators, as well as general life experience, that their acts would result in harmful contact.

77. Defendants' actions were threatening to Plaintiff and resulted in bodily injury to Plaintiff.

78. Defendants knowingly acted with physical force that caused direct injury to Plaintiff.

1 79. As a direct and proximate result of Defendants' actions, D. D. has suffered and  
2 bodily harm as well as severe emotional distress.

3 80. Plaintiff restates each and every allegation set forth in the preceding paragraphs of  
4 this Complaint as if fully set out herein.  
5

6 81. Students have an "inalienable right to attend campuses which are safe, secure, and  
7 peaceful." Cal. Const. Art. I § 28(f)(1).  
8

9 WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this Court:

10 (a) Enter judgment against Defendants and in favor of Plaintiff for actual  
11 damages for financial loss, physical harm, humiliation, mental anguish, and emotional  
12 distress and punitive damages in amounts to be determined at trial and as are allowed under  
13 the statute;  
14

15 (b) Enter judgment against Defendants and in favor of Plaintiff for an injunction  
16 prohibiting the Defendants' wrongful actions, a fair investigation into Defendants and  
17 appropriate discipline of each of the individual Defendants;  
18

19 (c) Enter judgment against Defendants and in favor of Plaintiff for all costs  
20 sustained in connection with the prosecution of this action, including attorneys' fees; and  
21

22 (d) Grant such other and further relief as justice requires.  
23

24 **COUNT FOUR – FALSE IMPRISONMENT**  
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26  
27  
28

1 82. California law requires that school districts and personnel carefully supervise  
2 students while they are on school premises, and districts may be held liable for injuries  
3 caused by the failure to exercise such care. Cal. Ed. Code § 44807.  
4

5 83. Defendant Sialana used excessive force on D. D. on August 24, 2022, when he  
6 handled D.D. with such unprovoked force and aggression that D.D. sustained injuries  
7

8 84. Defendants committed all four elements of false imprisonment: D.D. was intentional  
9 confined; D.D. was confined against their consent and without lawful authority; D.D. was  
10 aware he was confined; and D.D. did not know how or if it was possible to escape.  
11

12 85. Defendant Sialana willfully detained D.D. and physically stopped D.D. from leaving  
13 Defendant Sialana's retention of D.D.

14 86. Defendant Sialana willfully detained D.D. and physically stopped D.D. from leaving  
15 the office while the illegal search took place.  
16

17 87. D.D. did not consent to being held in Defendant Sialana's custody and let  
18 Defendants Sialana and Lewis know through his words and actions.  
19

20 88. Defendants Sialana and Lewis unlawfully detained D.D.

21 89. Defendants Sialana and Lewis are not law enforcement officers and do not have any  
22 other basis for detaining D.D. against his will.  
23

24 90. As a direct and proximate result of Defendants' actions, D.D. has suffered bodily  
25 harm.  
26  
27  
28

1 91. As a direct and proximate result of Defendants' actions, D.D. has suffered and  
2 continues to suffer severe emotional distress.

3 WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this  
4 Court:  
5

6 (a) Enter judgment against Defendants and in favor of Plaintiff for  
7 actual damages for financial loss, physical harm, humiliation, mental anguish,  
8 and emotional distress and punitive damages in amounts to be determined at  
9 trial and as are allowed under the statute;  
10

11 (b) Enter judgment against Defendants and in favor of Plaintiff for  
12 an injunction prohibiting the Defendants' wrongful actions, a fair  
13 investigation into Defendants and appropriate discipline of each of the  
14 individual Defendants;  
15

16 (c) Enter judgment against Defendants and in favor of Plaintiff for  
17 all costs sustained in connection with the prosecution of this action, including  
18 attorneys' fees; and  
19

20 (d) Grant such other and further relief as justice requires.  
21

22  
23 **COUNT FIVE – NEGLIGENCE**  
24

25 92. Plaintiff restates each and every allegation set forth in the proceeding paragraphs of  
26 this Complaint as fully set out herein.  
27  
28

1 93. Defendant Sialana owed Plaintiff a duty of reasonable care. In conformity with his  
2 duty of reasonable care, Defendant Sialana:

3 a. Had a duty to not discriminate against Plaintiff that Defendant Sialana knew  
4 or should have known that his actions discriminated against Plaintiff's African  
5 American heritage.  
6

7 b. Had a duty not to cause physical harm to Plaintiff that Defendant Sialana knew  
8 or should have known that his actions would cause physical harm to Plaintiff.  
9

10 94. DOE Defendants owed Plaintiff a duty of reasonable care. In conformity with his  
11 duty of reasonable care, DOE Defendants:

12 a. Had a duty not to discriminate against Plaintiff that DOE Defendants knew or should  
13 have known that his actions discriminated against Plaintiff's African American heritage.  
14

15 b. Had a duty not to cause physical harm to Plaintiff that DOE Defendant knew or  
16 should have known that his actions would cause physical harm to Plaintiff.  
17

18 95. The actions of the DOE Defendants were negligent in a manner that will be  
19 determined through the course of litigation.  
20

21 96. As a direct and proximate result of Defendant Sialana's actions, Plaintiff suffered  
22 damages in the form of emotional injury and humiliation.

23 WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this Court:  
24

25 (a) Enter judgment against Defendants and in favor of Plaintiff for  
26 actual damages for financial loss, physical harm, humiliation, mental anguish,  
27  
28

1 and emotional distress and punitive damages in amounts to be determined at  
2 trial and as are allowed under the statute;

3 (b) Enter judgment against Defendants and in favor of Plaintiff for  
4 an injunction prohibiting the Defendants' wrongful actions, a fair  
5 investigation into Defendants and appropriate discipline of each of the  
6 individual Defendants;  
7

8 (c) Enter judgment against Defendants and in favor of Plaintiff for  
9 all costs sustained in connection with the prosecution of this action, including  
10 attorneys' fees; and  
11

12 (d) Grant such other and further relief as justice requires.  
13  
14

15 **COUNT SIX – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**  
16

17 97. Plaintiff restates each and every allegation set forth in the preceding paragraphs of  
18 this Complaint as if fully set out herein.  
19

20 98. Under § 22.0511(a) of the Texas Education Code, school district employees can be  
21 held liable “in circumstances in which a professional employee uses excessive force in the  
22 discipline of students or negligence resulting in bodily harm to students.”  
23

24 99. Defendants committed all four elements of intentional infliction of emotional  
25 distress: Defendants acted with intent; Defendants' conduct was extreme and outrageous;  
26  
27  
28

1 Defendants' conduct caused the Plaintiff emotional distress; and Plaintiff's emotional  
2 distress was severe.

3 100. The individual Defendants used excessive force in the detention of E. K., leading to  
4 mental and physical injuries.

6 101. Defendants' intentional actions of abuse by Defendants Young and Bryant caused  
7 E. K. extreme emotional distress.

9 102. Defendants' intentional actions of refusal to notify her mother by Defendant  
10 Wilhelm and Doe Defendants caused E. K. extreme emotional distress.

11 103. Defendants' could see the impact their actions had on E. K., as well as were told by  
12 E. K. multiple times.

14 104. Forcefully detaining a child is both extreme and outrageous.

15 105. Defendants' actions rose to the level of battery and gross negligence.

17 106. Defendants' actions were knowingly undertaken to harm Plaintiff.

18 107. At the least, Defendants' actions were gravely reckless.

19 108. Defendants' actions proximately caused E. K. severe emotional distress and physical  
20 injuries.

22 109. Due to the actions of the Defendants, Plaintiff has sought out intensive therapy to  
23 deal with the emotional trauma caused.

24 WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this Court:  
25  
26  
27  
28

1 (a) Enter judgment against Defendants and in favor of Plaintiff for  
2 actual damages for financial loss, physical harm, humiliation, mental anguish,  
3 and emotional distress and punitive damages in amounts to be determined at  
4 trial and as are allowed under the statute;  
5

6 (b) Enter judgment against Defendants and in favor of Plaintiff for  
7 an injunction prohibiting the Defendants' wrongful actions, a fair  
8 investigation into Defendants and appropriate discipline of each of the  
9 individual Defendants;  
10

11 (c) Enter judgment against Defendants and in favor of Plaintiff for  
12 all costs sustained in connection with the prosecution of this action, including  
13 attorneys' fees; and  
14

15 (d) Grant such other and further relief as justice requires.  
16

17 **VI. JURY TRIAL DEMANDED**

18 Plaintiff hereby demands a trial by jury on all issues stated in this action.  
19

20  
21 Dated: January 24, 2023

Respectfully Submitted,

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23   
24

25 Keith Altman, Esq. (CBN. 257309)  
26 THE LAW OFFICE OF KEITH ALTMAN  
27 33228 West 12 Mile Road, Suite 375  
28 Farmington Hills, Michigan 48331

1 Telephone: (248) 987-8929  
2 Email: keithaltman@kaltmanlaw.com  
3 *Attorney for Plaintiffs*

4 **VERIFICATION**

5  
6 I, the undersigned, certify and declare that I have read the foregoing Complaint, and  
7 know its contents. I am the attorney for the Plaintiffs in this action. Such parties are absent  
8 from the county where I have my office and are unable to verify the document described  
9 above. For that reason, I am making this verification for and on behalf of the Plaintiffs. I  
10 am informed and believe on that ground allege the matters stated in said document are  
11 true.  
12

13  
14 I declare under penalty of perjury under the laws of the State of California that the  
15 foregoing is true and correct.  
16

17  
18 Executed on January 24, 2023, at Farmington Hills, Michigan.  
19

20  
21   
22

23 Keith Altman, Esq. (CBN. 257309)  
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26  
27  
28